

REMARKS

I. Introduction

Claims 1-6, 9-13, 15-8 and 20 are pending in the present application after cancellation of claims 7, 8, 14 and 19. Claims 1, 3-4, 9, 12, 15-17 and 20 have been amended. In view of the following remarks, it is respectfully submitted that claims 1-6, 9-13, 15-8 and 20 are allowable, and reconsideration is respectfully requested. In the following discussion, Applicants will address the various grounds of rejection presented in the Final Office Action of April 20, 2006.

II. Rejection of Claims 1-6, 10-11 and 17-18 under 35 U.S.C. § 102(b)

Claims 1-6, 10-11 and 17-18 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,963,995 ("Lang").

In order to more clearly highlight the differences between the claimed invention and the applied Lang reference, Applicants have amended claims 1, 3-4, and 15-17. More particularly, amended independent claim 1 now incorporates limitations previously presented in claims 6-9, and amended independent claim 17 now incorporates limitations previously presented in claims 7, 8, 14 and 19. As explicitly acknowledged by the Examiner in the various rejections of claims 7-9, 14 and 19 based on combinations of Lang and secondary references, Lang alone does not teach or suggest the features recited in claims 7-9, 14 and 19. Accordingly, the anticipation rejection of independent claims 1 and 17, as well as dependent claims 2-6, 10-11 and 18, should be withdrawn.

III. Rejections of Claims 7, 8 and 9 under 35 U.S.C. § 103(a)

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang in view of U.S. Patent No. 5,930,473 ("Teng"). Claims 8 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang in view of U.S. Patent No. 5,666,363 ("Osakabe"). Claims 7 and 8 have been canceled. In view of the amendment of independent claim 1 to incorporate the limitations previously presented in claims 6-9, Applicants will address amended independent claim 1 and its dependent claims in connection with the prior art references applied against claims 6-9.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Amended claim 1 recites the following:

1. A first digital video recorder-controller apparatus (DVRC), comprising:
 - a network port for communicatively connecting the first DVRC with at least one other apparatus on a network, wherein the network port is an ethernet port;
 - wherein the first DVRC is adapted to transmit through the network port a first selection of digitized video signals, wherein the first selection includes one or more digitized video signals being transmitted to a first other apparatus on the network;
 - and wherein the first DVRC is further adapted to receive through the network port a second selection of digitized video signals, wherein the second selection includes one or more digitized video signals being transmitted by a second other apparatus on the network, wherein the second other apparatus is one of a digital video recorder (DVR) or a second DVRC;
 - wherein the first DVRC is adapted to facilitate designation of the digitized video signals of the second selection, and wherein the first DVRC is further adapted to transmit a first control signal to the second other apparatus, wherein the first control signal designates the one or more video signals of the second selection of digitized video signals to be transmitted by the second other apparatus.

As applied against the above-recited limitations of amended claim 1 regarding the first control signal, the Examiner has argued that “Osakabe teaches a network having a master apparatus and a slave apparatus, the master apparatus sends control signal to a slave

apparatus for controlling the slave apparatus to selectively forward the video information to the master apparatus (column 7, line 15 to column 8, line 15).” (Final Office Action, p. 6). However, the cited section of Osakabe does not present a generic discussion of a master-slave operation; instead, the cited section of Osakabe merely indicates that a TV (element 10) transmits control commands to the video recorders 20, 30 to control these devices. (See, e.g., col. 7, l. 33-41). Accordingly, there is absolutely no suggestion in Osakabe that a first DVRC transmits a control signal to one of a digital video recorder (DVR) or a second DVRC, as recited in amended claim 1. Furthermore, to the extent Osakabe generally describes transmitting a control command in the “Background of the Invention” section of the disclosure, there is still no suggestion in Osakabe that any control signal designates the one or more video signals of the second selection of digitized video signals to be transmitted by the digital video recorder (DVR) or the second DVRC.

Independent of the above, to the extent that Lang discloses that DCU 14 of Lang can edit and select the video signals or frames, Lang clearly indicates that the editing/selecting of the video signals/frames is applied to the data stored in memory 13, and there is no disclosure or suggestion that DCU 14 sends out a control signal to another digital video recorder (DVR) or a second DVRC to control the designation of a selection of video signals to be transmitted by the another digital video recorder (DVR) or a second DVRC.

Furthermore, the teachings of Teng simply do not suggest anything about transmitting a control signal to another digital video recorder (DVR) or a second DVRC to control the designation of a selection of video signals to be transmitted by the another digital video recorder (DVR) or a second DVRC.

For at least the foregoing reasons, independent claim 1 and its dependent claims 2-6 and 9-11 are patentable over the overall teachings of Lang, Osakabe and Teng.

IV. Rejection of Claims 12-16 under 35 U.S.C. § 103(a)

Claims 12-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang in view of U.S. Patent No. 6,330,025 (“Arazi”). Claim 14 has been canceled. Applicants have amended independent claim 12 to incorporate the features previously presented in claims 7, 8 and 14. In view of the amendment of independent claim 12 to incorporate the

limitations previously presented in claims 7, 8 and 14, Applicants will address amended independent claim 12 and its dependent claims in connection with the prior art references applied against claims 7, 8 and 12-16.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Amended claim 12 recites the following:

12. A digital video system, comprising:

an ethernet network;

a first plurality of video cameras operatively connected to a digital video recorder-controller apparatus (DVRC) on the network, the DVRC having:

a first ethernet network port for communicatively connecting the DVRC with at least one other apparatus on the ethernet network;

a first plurality of video-out ports adapted to facilitate the display of one or more video signals on one or more DVRC monitors;

wherein the DVRC is adapted to receive through the first network port a first selection of digitized video signals including one or more digitized video signals transmitted by a first other apparatus on the ethernet network; and

a second plurality of video cameras operatively connected to a digital video recorder (DVR) on the ethernet network, the DVR having:

a second plurality of video-out ports adapted to facilitate the display of one or more video signals on one or more DVR monitors;

a second network port for communicatively connecting the DVR with the DVRC on the ethernet network;

wherein the DVR is the first other apparatus on the network, and wherein the DVR is adapted to transmit through the second network port a second selection of digitized video signals, wherein the second selection of digitized video signals includes one or more digitized video signals of the first selection of digitized video signals; and wherein the DVRC is further adapted to transmit a control signal to the DVR, the control signal designating the second selection of digitized video signals to be transmitted by the DVR.

As applied against the above-recited limitations of amended claim 12 regarding the control signal sent to the DVR to designate the video signals to be transmitted, the Examiner has argued (in connection with claim 8) that “Osakabe teaches a network having a master apparatus and a slave apparatus, the master apparatus sends control signal to a slave apparatus for controlling the slave apparatus to selectively forward the video information to the master apparatus (column 7, line 15 to column 8, line 15).” (Final Office Action, p. 6). However, the cited section of Osakabe does not present a generic discussion of a master-slave operation; instead, the cited section of Osakabe merely indicates that a TV (element 10) transmits control commands to the video recorders 20, 30 to control these devices. (See, e.g., col. 7, l. 33-41). Accordingly, there is absolutely no suggestion in Osakabe that DVRC transmits a control signal to the DVR, as recited in amended claim 12. Furthermore, to the extent Osakabe generally describes transmitting a control command in the “Background of the Invention” section of the disclosure, there is still no suggestion in Osakabe that any control signal sent by the DVRC designates the video signals of the second selection of digitized video signals to be transmitted by the DVR.

Independent of the above, to the extent that Lang discloses that DCU 14 of Lang can edit and select the video signals or frames, Lang clearly indicates that the editing/selecting of the video signals/frames is applied to the data stored in memory 13, and there is no disclosure or suggestion that DCU 14 sends out a control signal to another digital video recorder (DVR) to control the designation of a selection of video signals to be transmitted by the DVR.

Furthermore, the teachings of Teng and Arazi simply do not suggest anything about transmitting a control signal to another DVR to control the designation of a selection of video signals to be transmitted by the DVR.

For at least the foregoing reasons, independent claim 12 and its dependent claims 13, 15 and 16 are patentable over the overall teachings of Lang, Osakabe, Teng and Arazi.

V. Rejection of Claims 19 and 20 under 35 U.S.C. § 103(a)

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang in view of U.S. Patent No. 6,330,025 ("Arazi"). Claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang in view of Arazi, and further in view of Osakabe. Claim 19 has been canceled. Applicants have amended independent claim 17 to incorporate the features previously presented in claims 7, 8 and 19. In view of the amendment of independent claim 17 to incorporate the limitations previously presented in claims 7, 8 and 19, Applicants will address amended independent claim 17 and its dependent claims in connection with the prior art references applied against claims 7, 8, 17 and 19.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Amended claim 17 recites the following:

17. A method for expanding a digital video system, comprising:

a) providing a first digital video recorder-controller apparatus (DVRC) having:

a DVRC network port, wherein the DVRC network port is an ethernet port;

at least one control panel;

wherein the first DVRC is adapted to receive through the DVRC network port a first selection of digitized video signals; and

a plurality of DVRC video-out ports adapted to facilitate the display of one or more video signals on one or more video monitors;

b) providing an ethernet network and connecting the first DVRC to the network; and

c) connecting a digital video recorder (DVR) to the ethernet network, the DVR having:

a plurality of DVR video-in ports, for receiving video signals from video cameras;

a DVR network port, wherein the DVR network port is an ethernet port;

wherein the DVR is adapted to transmit through the DVR network port a DVR selection of digitized video signals, wherein the DVR selection of digitized video signals includes one or more digitized video signals of the first selection of digitized video signals, and wherein the DVRC is adapted to transmit a control signal to the DVR, the control signal designating the DVR selection of digitized video signals to be transmitted by the DVR.

As applied against the above-recited limitations of amended claim 17 regarding the control signal sent to the DVR to designate the video signals to be transmitted, the Examiner has argued (in connection with claim 8) that “Osakabe teaches a network having a master apparatus and a slave apparatus, the master apparatus sends control signal to a slave apparatus for controlling the slave apparatus to selectively forward the video information to the master apparatus (column 7, line 15 to column 8, line 15).” (Final Office Action, p. 6). However, the cited section of Osakabe does not present a generic discussion of a master-slave operation; instead, the cited section of Osakabe merely indicates that a TV (element 10) transmits control commands to the video recorders 20, 30 to control these devices. (See, e.g., col. 7, l. 33-41). Accordingly, there is absolutely no suggestion in Osakabe that DVRC transmits a control signal to the DVR, as recited in amended claim 12. Furthermore, to the extent Osakabe generally describes transmitting a control command in the “Background of the Invention” section of the disclosure, there is still no suggestion in Osakabe that any control signal sent by the DVRC designates the video signals of the second selection of digitized video signals to be transmitted by the DVR.

Independent of the above, to the extent that Lang discloses that DCU 14 of Lang can edit and select the video signals or frames, Lang clearly indicates that the editing/selecting of the video signals/frames is applied to the data stored in memory 13, and there is no disclosure

or suggestion that DCU 14 sends out a control signal to another DVR to control the designation of a selection of video signals to be transmitted by the DVR.

Furthermore, the teachings of Teng and Arazi simply do not suggest anything about transmitting a control signal to another DVR to control the designation of a selection of video signals to be transmitted by the DVR.

For at least the foregoing reasons, independent claim 17 and its dependent claims 18 and 20 are patentable over the overall teachings of Lang, Osakabe, Teng and Arazi.

Independent of the above, to the extent the Examiner contends that the limitation of claim 18 "wherein providing a DVRC includes modifying internal software of a DVR" is taught by Lang "since the digital recorder of Lang is controlled by software executed by a CPU," this contention simply doesn't make any sense: even if one assumes that a DVR is controlled by a software, there is no logical basis to conclude that the software is in any way modified. For this additional reason, claim 18 allowable over the cited references.

CONCLUSION

In view of all of the above, it is respectfully submitted that all of the presently pending claims are in allowable condition. Prompt reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,



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